

(26)  
2-27-01  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DOUGLAS HENRY THORNTON,  
Plaintiff,

v.

DONALD ROMINE,  
Defendant

CIVIL NO. 1:CV-00-1255

(Judge Kane)

**FILED**  
HARRISBURG, PA

FEB 26 2001

**ORDER**

MARY E. D'ANDREA, CLERK  
Per [Signature]  
Deputy Clerk

NOW, THIS 26<sup>th</sup> DAY OF FEBRUARY, 2001, upon consideration of the

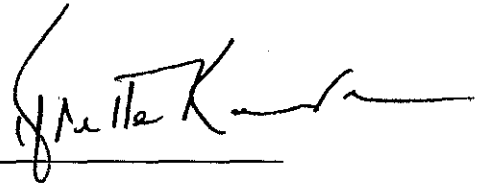
facts that: (1) by Order dated January 4, 2001, the Court granted Plaintiff's 3 motions to amend his civil rights complaint and directed him to file an amended complaint within 20 days of the date of that Order;<sup>1</sup> (2) Plaintiff has failed to file an amended complaint; (3) Plaintiff has filed a "Motion To Stop Defendant from destroying or distorting any evidence of any kind," wherein he requests that the Court direct that video surveillance of the dinning room on march 3,2000 and 4 separate incident/hearing disciplinary reports not be destroyed; and (4) Plaintiff has failed to file a brief in support of that motion or otherwise provide the Court with any facts from which to conclude that the cited evidence is relevant

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1. That Order also advised him that the "amended complaint must be complete in all respects. It must be a new pleading which stands by itself as an adequate complaint without reference to the complaint already filed." Young v. Keohane, 809 F. Supp. 1185, 1198 (M.D. Pa. 1992). Additionally, the Clerk of Court was directed to send Thornton along with the Order 2 copies of this Court's form civil rights complaint for his use in preparing his amended complaint.

to Plaintiff's radiation claim and/or in jeopardy of being destroyed by Defendant, making any such claim speculative at best, **IT IS HEREBY ORDERED THAT:**

1. This matter shall proceed on the complaint originally filed by Plaintiff (Doc. 1), which names Warden Donald Romine as the sole defendant and asserts a claim solely based on Plaintiff's purported exposure to radiation when forced to walk through metal detectors.
2. The United States Marshal is directed to serve the complaint (Doc. 1) on the Defendant named therein.
3. Plaintiff's motion to stop destruction of evidence (Doc. 15) is DENIED.



Yvette Kane  
United States District Judge

YK:mcs

UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

\* \* MAILING CERTIFICATE OF CLERK \* \*

February 26, 2001

Re: 1:00-cv-01255 Thornton v. Romine

True and correct copies of the attached were mailed by the clerk to the following:

Douglas Henry. Thornton  
USP-ALLENWOOD  
Maximum Security Correct. Inst.  
37461-118  
P. O. Box 3500  
White Deer, PA 17887

cc:

Judge	( <input checked="" type="checkbox"/> )	( <input checked="" type="checkbox"/> ) Pro Se Law Clerk
Magistrate Judge	( )	( ) INS
U.S. Marshal	( )	( ) Jury Clerk
Probation	( )	
U.S. Attorney	( )	
Atty. for Deft.	( )	
Defendant	( )	
Warden	( )	
Bureau of Prisons	( )	
Ct Reporter	( )	
Ctroom Deputy	( )	
Orig-Security	( )	
Federal Public Defender	( )	
Summons Issued	( <input checked="" type="checkbox"/> )	with N/C attached to complt. and served by: U.S. Marshal ( <input checked="" type="checkbox"/> ) Pltf's Attorney ( )
Standard Order 93-5	( )	
Order to Show Cause	( )	with Petition attached & mailed certified mail to: US Atty Gen ( ) PA Atty Gen ( ) DA of County ( ) Respondents ( )
Bankruptcy Court	( )	
Other _____	( )	

MARY E. D'ANDREA, Clerk

DATE:

2-26-01

BY:

JK  
Deputy Clerk